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DATE: JANUARY 24, 2005

FROM:

Kyle J. Way, Reg. 45,549

TELEPHONE: (303) 938-9999 ext. 21**NUMBER OF PAGES (including this page):**

13

EMAIL: kway@soiplaw.com**TO:**Mailstop: AMENDMENT
Commissioner for Patents
United States Patent and
Trademark Office**TELEPHONE:****RE:**Application No. 09/839,009
Filed: 4/20/2001
Art Unit: 2686
Examiner: Joy Kimberly Contee
Inv.: Steven Duane Myers
Docket No. 1475**FAX:** (703) 872-9306**MESSAGE** Attached are the following:

1. Transmittal (one page);
2. Response to the Office Action dated November 17, 2004, (11 pages).

IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL 303-938-9999

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PTO/SB/21 (09-04)

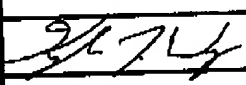
Approved for use through 07/31/2008, OMB 0651-0031
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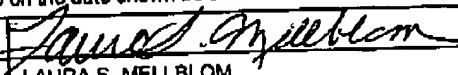
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TRANSMITTAL FORM <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/839,009; Confirmation 2733	
	Filing Date	4/20/2001	
	First Named Inventor	Steven Duane Myers	
	Art Unit	2686	
	Examiner Name	Joy Kimberly Contee	
Total Number of Pages in This Submission	11	Attorney Docket Number	1475

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ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):
Remarks It is believed that no fees are due in this matter. However, if it is determined that fees are due, the Commissioner is authorized to debit Deposit Account No. 210765 for the required fees.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm	SETTER OLLILA LLC		
Signature			
Printed Name	KYLE J. WAY		
Date	1/24/05	Reg. No.	45,549

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
Signature	
Typed or printed name	LAURA S. MELLBLOM
Date	1-24-05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 1475

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JAN 24 2005

In re application of: Steven Duane Myers

Application No.: 09/839,009

Group No.: 2686

Filed: 04/20/2001

Examiner: Joy Kimberly Contee

For: COMMUNICATION DEVICE QUALIFICATION FOR BROADBAND WIRELESS
SERVICE

Mailstop: Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Introductory Comments

In response to the Office action dated November 17, 2004, please review the enclosed listing of the claims and consider the following remarks.